

Gloria I. Olmo
A/K/A Gloria I. Miranda
284 Graff Avenue
Bronx, NY 10465
646-864-9641

FILED
U.S. BANKRUPTCY COURT
2017 OCT 26 P 2:17
S.D. OF N.Y.

Re: Case No. 16-10123-smb
Opposition to Trustee's
Objection to Claim 176

Honorable Stuart M. Bernstein,
United States Bankruptcy Judge:

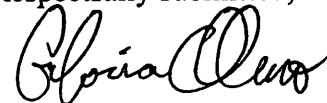
Gloria I. Olmo's filed claim 176 for unpaid vacation days, overtime, and severance pay for 17+ years, and filed after the bar date, should not be expunged.

Trustee argues he cannot determine the validity of claim 176 without documentation. Enclosed please find a copy of a NYS Department of Labor Claim for Unpaid Wages, summarizing the accrued, sick, personal, and vacation days, amounting to \$10,000.00. Earnings statements from 12/18/2006 (do not have starting work date year to 2005 available) through 11/4/2011. Also, W-2s from 2009, 2010, 2013, and 2015, (the starting work date W-2s through 2009, 2011, 2012, and 2014 are not available, either).

Trustee argues, "Claim 176 was filed after the Bar Date."
I received documentation from the trustee indicating my former employer, Narco Freedom, was filing for Chapter 7. As a lay person to legal jargon and procedures, I was under the impression Narco Freedom employees would be paid any monies owed to them automatically. Narco Freedom closed its doors, and I lost contact with its former employees. It wasn't till after I was hired by Samaritan Village (the organization that took over Narco Freedom) that I learned from former Narco Freedom employees, since working for Samaritan Village, that I had to file a claim in order to get the monies owed to me. Although I was told by the USBCSD clerk the deadline to file passed, I still filed my claim with the Court.

Therefore, for the ongoing facts and reason presented, I pray that the Court honor my plea and award claimant 176 the monies owed to me.

Respectfully submitted,



cc: file



16-10123-smb

New York State Department of Labor

10/30/17 14:52:36

For Office Use Only

W

Division of Labor Standards

Claim for Unpaid Wages

Answer all questions on both sides. Print clearly.
Send to: NYS Dept. of Labor,
Division of Labor Standards, Bldg. 12 Rm. 185C
State Office Campus, Albany NY 12240

Identification Number
Refer to wage suppl. I.D. No. if any:
Taken By

Section 190.7 of the New York State Labor Law excludes from wage payment coverage those persons in an administrative, executive or professional capacity whose earnings exceed \$900 gross per week

Note: It is necessary for you to have asked for the wages due before we can assist you.

1. Your Full Name <input type="checkbox"/> Ms. <input checked="" type="checkbox"/> Mrs. <input type="checkbox"/> Mr. <u>Gloria I. Olmo</u>		3. Social Security No. <u>081-58-9428</u>	
2. Your Address Apt. No. City, Town or Village County Zip Code <u>384 Graff Ave. Bronx, New York 10465</u>		4. (Area Code) Telephone No. Day <u>646 845-9066</u> Evening ()	
5. Claim against (Trade Name of Employer) <u>Narco Freedom Inc.</u>		6. Corporation Name, if any	
7. Address of main office or headquarters of firm City, Town or Village County Zip Code <u>350 Grand Concourse Bronx, New York 10451</u>		8. (Area Code) Telephone No. <u>718-7644249</u>	
9. Names and addresses of responsible persons of firm <u>Lori Kapin Jones</u>		Their positions <u>Controller</u>	
10. Kind of business firm engaged in <u>Substance Abuse Treatment Center</u>		11. Is firm still in business? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>until 9/2/17</u>	
12. What was your work or occupation with this firm? <u>Intake Dept. Medicaid Specialist</u>		13. Address where you worked Zip Code <u>2778 3rd Ave Bx NY. 10455</u>	
14. Date Hired <u>10/15/2001</u>	15. Name and Position of person hiring you <u>Madeline Perez</u>	16. Name of superintendent, manager or foreman <u>Malinda Jordan Chief Executive Officer</u>	
17. Latest agreed rate of pay (per hour per week, per day) <u>35 hrs.</u>	18. Last Day Worked <u>Expected last Day of work 9/21/15</u>	19. Status with Firm <input type="checkbox"/> I quit <input type="checkbox"/> I was discharged <input type="checkbox"/> I was temporarily laid off <input checked="" type="checkbox"/> I am still employed	20. Reason for quitting, discharge or layoff <u>Agency is closing.</u>
21. Were you a member of any union when employed by this firm? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "yes", give name, local no., address, zip code and telephone no. of union	
22. Have you asked your union for assistance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "yes" what action has the union taken?	
Before answering questions 23 and 25, first fill out back of this form to help you figure wages due			
23. Wages claimed for period (first date to last date) From To Inclusive		24. Name and address of employer's bank <u>Capital One Bank 3780 E. Tremont Ave Bronx, New York 10465</u>	25. Total amount of wages due
26. Did you request these wages? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		27. Date of Request	28. To whom was the request made?
29. Did employer refuse to pay for these wages? <input type="checkbox"/> Yes <input type="checkbox"/> No		If "yes", give employer's reason for refusal	
30. Were any payments due you paid by checks returned not honored? No <input type="checkbox"/> Yes <input type="checkbox"/> If "yes", submit photocopies of check(s)			
31. How were wages paid? <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Other (Explain)		32. What was your normal payday? What period did this cover?	

Any false statements knowingly made are punishable as a class A misdemeanor (Section 210.45, the New York State penal law). I affirm that the above statements are true.

I authorize the Commissioner of Labor, deputies or agents to receive, endorse my name on, and deposit in the account of the Commissioner of Labor any checks or money orders made out to me as payment on this claim.

Signature of Claimant

Date

(Continue Over)

W

All employees: Wages claimed in #25 are to be computed as follows:

33. Payroll week ending date	34. Number of hours worked this week	35. Number of days worked this week	36. Rate of pay (show whether by hour, day, week or month)	37. Total gross wages* earned this week	38. Gross wages paid to you this week	39. Difference between gross wages earned & gross wages paid to you this week	40. If wages were paid by check(s) not honored enter the check number(s)
			\$ per	\$	\$	\$	
41. Total Amount Due						\$	

*Gross wage is the amount before taxes or other monies are deducted.

42. Include any additional information below:

	1.92	SICK PERSONAL DAYS					0.80	VACATION DAYS		2.68
	Bi-Weekly SICK DAYS			Bi-Weekly PERSONAL DAYS			Bi-Weekly VACATION DAYS			
	TIME	TIME	ACCRUED	TIME	TIME	ACCRUED	TIME	TIME	ACCRUED	
Pay Date	ACCRUED	PAID	BALANCE	ACCRUED	PAID	BALANCE	ACCRUED	PAID	BALANCE	
9/4/2015	10.29	0.00	10.29	6.45	0.00	6.45	360.12	0.00	360.12	
9/18/2015	12.45	0.00	12.45	7.25	0.00	7.25	365.50	0.00	365.50	

NARCO FREEDOM, INC. - ACCRUAL TIME SHEET

NAME OF EMPLOYEE: OLMO, GLORIA FILE #99676

DEPARTMENT: CSAT TRANSFER TO INTAKE DEPT. 07/09/2013 (DEPT.100000)

DATE OF HIRE: 10/13/2001 ACCRUING 2.16 SICK & 5.38 VAC.

STANDARD HRS: 70 HRS. CHANGE VAC. TO 6.74 ON 10/13/2016 (15 YEARS)

Laurie
Controller
Lori - A

	1.92 SICK			PERSONAL DAYS			0.80 VACATION DAYS			2.68
	Bi-Weekly SICK DAYS			Bi-Weekly PERSONAL DAYS			Bi-Weekly VACATION DAYS			
	TIME	TIME	ACCRUED	TIME	TIME	ACCRUED	TIME	TIME	ACCRUED	
Pay Date	ACCRUED	PAID	BALANCE	ACCRUED	PAID	BALANCE	ACCRUED	PAID	BALANCE	
5/1/2015	13.60	7.00	6.60	10.00	0.50	9.50	383.70	0.00	383.70	
5/15/2015	8.76	0.00	8.76	10.30	0.00	10.30	389.08	0.00	389.08	
5/29/2015	10.92	0.00	10.92	11.10	0.00	11.10	394.46	0.00	394.46	
6/12/2015	13.08	0.00	13.08	11.90	0.00	11.90	399.84	0.00	399.84	
6/26/2015	15.24	0.00	15.24	12.70	0.00	12.70	405.22	0.00	405.22	
NARCO FREEDOM, INC. - ACCRUAL TIME SHEET										
NAME OF EMPLOYEE: OLMO, GLORIA FILE #99676										
DEPARTMENT: CSAT TRANSFER TO INTAKE DEPT. 07/09/2013 (DEPT.100000)										
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	1.92 SICK			PERSONAL DAYS			0.80 VACATION DAYS			2.68
	Bi-Weekly SICK DAYS			Bi-Weekly PERSONAL DAYS			Bi-Weekly VACATION DAYS			
	TIME	TIME	ACCRUED	TIME	TIME	ACCRUED	TIME	TIME	ACCRUED	
Pay Date	ACCRUED	PAID	BALANCE	ACCRUED	PAID	BALANCE	ACCRUED	PAID	BALANCE	
9/4/2015	10.29	0.00	10.29	6.45	0.00	6.45	360.12	0.00	360.12	
9/18/2015	12.45	0.00	12.45	7.25	0.00	7.25	365.50	0.00	365.50	
NARCO FREEDOM, INC. - ACCRUAL TIME SHEET NAME OF EMPLOYEE: OLMO, GLORIA FILE #99676 DEPARTMENT: CSAT TRANSFER TO INTAKE DEPT. 07/09/2013 (DEPT.100000) DATE OF HIRE: 10/13/2001 ACCRUING 2.16 SICK & 5.38 VAC. STANDARD HRS: 70 HRS. CHANGE VAC. TO 6.74 ON 10/13/2016 (15 YEARS)										



NARCO FREEDOM, INC.
 2780 THIRD AVENUE
 BRONX, NY 10455

Period Ending: 12/18/2006
 Pay Date: 12/22/2006

Taxable Marital Status: Single

Exemptions/Allowances:

Federal: 0

State: 0

Local: 0

GLORIA I. MIRANDA

Social Security Number: XXX-XX-9428

Earnings	rate	hours	this period	year to date
Regular	14.2626	56.00	798.71	
Sick	14.2626	14.00	199.68	
Gross Pay			\$998.39	25,303.78

Deductions	Statutory		
	Federal Income Tax	-120.33	3,015.73
	Social Security Tax	-61.90	1,568.83
	Medicare Tax	-14.47	366.90
	NY State Income Tax	-35.12	868.65
	New York Cit Income Tax	-22.56	558.81
	NY SUI/SDI Tax	-1.20	31.20
	Net Pay	\$742.81	

Your federal taxable wages this period are \$998.39

NARCO FREEDOM, INC.
2780 THIRD AVENUE
BRONX, NY 10455

Period Ending: 07/16/2007
 Pay Date: 07/20/2007

Taxable Marital Status: Single
 Exemptions/Allowances:
 Federal: 0
 State: 0
 Local: 0

GLORIA I. MIRANDA

Social Security Number: XXX-XX-9428

Earnings	rate	hours	this period	year to date
Regular	14.2626	7.00	99.84	
Holiday	14.2626	7.00	99.84	
Vacation	14.2626	56.00	798.71	
Gross Pay			\$998.39	14,975.74

Deductions	Statutory		
Federal Income Tax	-120.11	1,801.65	
Social Security Tax	-61.90	928.50	
Medicare Tax	-14.48	217.15	
NY State Income Tax	-35.12	526.80	
New York Cit Income Tax	-22.56	338.40	
NY SUI/SDI Tax	-1.20	18.00	
Net Pay	\$743.02		

Your federal taxable wages this period are \$998.39



NARCO FREEDOM, INC.
2780 THIRD AVENUE
BRONX, NY 10455

Period Ending: 06/28/2010
 Pay Date: 07/02/2010

Taxable Marital Status: Married
 Exemptions/Allowances:
 Federal: 2
 NY: 2
 New York Cit: 2

GLORIA I. OLMO

Social Security Number: XXX-XX-XXXX

Earnings	rate	hours	this period	year to date
Regular	20.9313	70.00	1,465.19	
Gross Pay			\$1,465.19	19,555.14

Deductions	Statutory		
	Federal Income Tax	-72.26	2,076.42
	Social Security Tax	-88.61	1,207.96
	Medicare Tax	-20.73	282.51
	NY State Income Tax	-57.67	870.84
	New York Cit Income Tax	-35.29	527.72
	NY SUI/SDI Tax	-1.20	15.60
	Other		
	Medical	-35.97*	71.94
	Net Pay		\$1,153.46

* Excluded from federal taxable wages

Your federal taxable wages this period are
 \$1,429.22

NARCO FREEDOM, INC.
2780 THIRD AVENUE
BRONX, NY 10455

Period Beginning: 07/12/2011
 Period Ending: 07/25/2011
 Pay Date: 07/29/2011

Taxable Marital Status: Married
 Exemptions/Allowances:
 Federal: 2
 NY: 2
 New York Cit: 2

GLORIA I. OLMO

Social Security Number: XXX-XX-XXXX

Earnings	rate	hours	this period	year to date
Regular	20.9313	28.00	586.08	
Training	20.9313	7.00	146.52	
Vacation	20.9313	35.00	732.60	
Gross Pay			\$1,465.20	21,977.87

Deductions	Statutory		
	Federal Income Tax	-93.42	1,401.30
	Social Security Tax	-60.03	900.41
	Medicare Tax	-20.73	310.86
	NY State Income Tax	-57.67	865.05
	New York Cit Income Tax	-35.29	529.35
	NY SUI/SDI Tax	-1.20	18.00
	Other		
	Medical	-35.97*	539.55
	Net Pay	\$1,160.89	

* Excluded from federal taxable wages

Your federal taxable wages this period are
 \$1,429.23

NARCO FREEDOM, INC.
2780 THIRD AVENUE
BRONX, NY 10455

Period Beginning: 09/06/2011
 Period Ending: 09/19/2011
 Pay Date: 09/23/2011



Taxable Marital Status: Married
 Exemptions/Allowances:
 Federal: 2
 NY: 2
 New York Cit: 2

GLORIA I. OLMO

Social Security Number: XXX-XX-XXXX

Earnings	rate	hours	this period	year to date
Regular	20.9313	68.00	1,423.33	
Personal	20.9313	2.00	41.86	
Gross Pay			\$1,465.19	27,838.63

Deductions	Statutory		
	Federal Income Tax	-93.42	1,774.98
	Social Security Tax	-60.03	1,140.52
	Medicare Tax	-20.72	393.75
	NY State Income Tax	-57.67	1,095.73
	New York Cit Income Tax	-35.29	670.51
	NY SUI/SDI Tax	-1.20	22.80
	Other		
	Garnishment 1	-179.53	
	Medical	-35.97*	683.43
	Net Pay		\$981.36

*** Excluded from federal taxable wages**

Your federal taxable wages this period are
 \$1,429.22

Earnings Statement



NARCO FREEDOM, INC.
2780 THIRD AVENUE
BRONX, NY 10455

Period Beginning: 09/20/2011
Period Ending: 10/03/2011
Pay Date: 10/07/2011

Taxable Marital Status: Married

Exemptions/Allowances:

Federal:	2
NY:	2
New York Cit:	2

GLORIA I. OLMO

Social Security Number: XXX-XX-XXXX

earnings	rate	hours	this period	year to date
regular	20.9313	69.00	1,444.26	
personal	20.9313	1.00	20.93	
Gross Pay			\$1,465.19	29,303.82

Deductions	Statutory	
	Federal Income Tax	-93.42
	Social Security Tax	-60.03
	Medicare Tax	-20.72
	NY State Income Tax	-57.67
	New York Cit Income Tax	-35.29
	NY SUI/SDI Tax	-1.20
	Other	
	Garnishment 1	-179.53
	Medical	-35.97*
	Net Pay	\$981.36

*** Excluded from federal taxable wages**

Your federal taxable wages this period are \$1,429.22

NARCO FREEDOM, INC.
2780 THIRD AVENUE
BRONX, NY 10455

Period Beginning: 10/18/2011
 Period Ending: 10/31/2011
 Pay Date: 11/04/2011

Taxable Marital Status: Married
 Exemptions/Allowances:
 Federal: 2
 NY: 2
 New York Cit: 2

GLORIA I. OLMO

Social Security Number: XXX-XX-XXXX

Earnings	rate	hours	this period	year to date
Regular	20.9313	63.00	1,318.67	
Vacation	20.9313	7.00	146.52	
Gross Pay			\$1,465.19	32,234.20

Deductions	Statutory		
Federal Income Tax	-93.42	2,055.24	
Social Security Tax	-60.03	1,320.60	
Medicare Tax	-20.72	455.92	
NY State Income Tax	-57.67	1,268.74	
New York Cit Income Tax	-35.29	776.38	
NY SUI/SDI Tax	-1.20	26.40	
Other			
Garnishment 1	-179.53		
Medical	-35.97*	791.34	
Net Pay		\$981.36	

* Excluded from federal taxable wages

Your federal taxable wages this period are
 \$1,429.22